

**REMARKS**

Claims 1 - 19 are presently pending in the application.

**I. Claim Rejections - 35 U.S.C. § 102**

Claims 1 - 6 and 11 - 15 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S.P. No. 6,302,527 (“Walker”). For the following reasons, this rejection is respectfully traversed.

Independent claims 1 and 11, in enabling, non-limiting embodiments, relate to an ink jet recording apparatus comprising a carriage adapted to be loaded with a detachable ink container and a communication unit that communicates with a storage element provided with said ink container, said communication unit being able to communicate with said storage element provided with said ink container when said ink container is not loaded on said carriage. At least these features are altogether absent in the prior art relied upon as the basis for rejection.

The basis for rejection compares Walker’s separate ink reservoir that is mounted off the carriage (Col. 3. lines 44 - 49) to the features of the independent claims wherein (in non-limiting embodiments) an ink container, when not loaded on the carriage, possesses the ability to be loaded to the carriage and also the ability to communicate with the communications unit in either of a loaded or unloaded condition. The comparison made in the basis for rejection is inappropriate, as explained below.

The independent claims (in non-limiting embodiments) relate to ink containers that *are capable of being loaded to the carriage of an ink jet recording apparatus and storing ink to be fed to the recording head when the ink container is loaded to the carriage*. The ink containers

are further capable of being *detached* from the carriage of the ink jet recording apparatus, *and are yet further capable of communicating to a communication unit from storage elements contained in the ink containers in either of a loaded or unloaded position*. Indeed, a non-limiting embodiment of the invention (see page 5 of the instant specification and Fig. 1, elements 21a' and 7a' in relation to element 52) speaks to the capability of an ink container, while detached from the printer in general, to communicate with the transmitting-receiving antenna from outside the casing of the printer when the ink container is brought close to the printer casing. This same ink container is additionally capable of being loaded to the carriage.

In contradistinction, Walker's ink containers that are mounted off the scanning carriage are *NOT capable of being loaded to the scanning carriage*. *Instead, Walker's ink containers store ink to be fed to a recording head when the ink container is NOT loaded to the carriage* (see Col. 3, lines 44 - 49). Obviously, the noted ink containers are loaded in the Walker printing device somewhere other than the carriage and are otherwise in connection to the print head (see Col. 3, lines 48 - 53). That is, none of Walker's ink containers teach or suggest an ink container *not* being loaded to the carriage and yet being capable of communicating to the printing device.

Accordingly, at least because of the above-noted features that are altogether absent in the prior art relied upon as the basis for rejection, it is respectfully requested that the Examiner reconsider and withdraw this rejection.

**II. Claim Rejections - 35 U.S.C. § 103**

Claims 7 - 10 and 16 - 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker in view of U.S. Patent Application Publication No. 2002/0015066 A1 (“Siwinski et al.”). For the following reasons, this rejection is respectfully traversed.

“If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious” (*see* M.P.E.P. § 2143.03). Accordingly, at least because all dependent claims depend upon independent claims 1 or 11, and further because independent claims 1 and 11 are patentable and nonobvious, then the above-noted dependent claims are also patentable. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

**III. Conclusion**


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.116  
U.S. Application No. 10/070,125

Attorney Docket No. Q68763

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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